

**ONE HUNDRED AND THIRTEENTH LEGISLATIVE DAY  
MONDAY, APRIL 28, 2003**

House of Representatives

The House convened at 8 a.m., the Speaker in the Chair.

Roll call showed all 70 members present.

Prayer was offered by Chaplain Jim Hardenbrook.

The Pledge of Allegiance was led by Brittni McLam, Page.

There being no objection, the House advanced to the Fourth Order of Business.

**Approval of Journal**

April 28, 2003

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the One Hundred and Tenth Legislative Day and recommend that same be adopted as corrected.

FIELD(18), Chairman

Mrs. Field(18) moved that the report be adopted. Seconded by Mrs. Boe. Report adopted.

**Consideration of Messages from the  
Governor and the Senate**

THE OFFICE OF THE GOVERNOR  
EXECUTIVE DEPARTMENT  
BOISE, IDAHO

**CERTIFICATE OF APPOINTMENT**

KNOW ALL MEN, by these Presents that Allen R. Andersen, State Representative, District 29, House Seat A, State of Idaho, pursuant to the provisions of Section 59-917, Idaho Code, has nominated Sandra Guyon, of Pocatello, Idaho, to perform the duties of this office temporarily as Acting State Representative.

NOW, THEREFORE, I, DIRK A. KEMPTHORNE, Governor of the State of Idaho, by virtue of the authority vested in me by Section 59-917, Idaho Code, do hereby appoint Sandra Guyon, Acting State Representative, District 29, House Seat A, State of Idaho, for a term commencing on April 28, 2003, and continuing until the incumbent shall resume the performance of the duties or a vacancy occurs in such office.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Idaho.

Done at Boise, the Capital of Idaho, this 24th day of April in the year of our Lord two thousand and three, and of the Independence of the United States of America, the two hundred and twenty-seventh year.

/s/ DIRK A. KEMPTHORNE

Governor  
/s/ BEN YSURSA  
Secretary of State

The Certificate of Appointment was ordered filed in the Office of the Chief Clerk.

The Speaker announced the oath of office had previously been administered to Mrs. Guyon.

THE OFFICE OF THE GOVERNOR  
EXECUTIVE DEPARTMENT  
BOISE, IDAHO

**CERTIFICATE OF APPOINTMENT**

KNOW ALL MEN, by these Presents that Elmer Martinez, State Representative, District 29, House Seat B, State of Idaho, pursuant to the provisions of Section 59-917, Idaho Code, has nominated Mark Echohawk, of Pocatello, Idaho, to perform the duties of this office temporarily as Acting State Representative.

NOW, THEREFORE, I, DIRK A. KEMPTHORNE, Governor of the State of Idaho, by virtue of the authority vested in me by Section 59-917, Idaho Code, do hereby appoint Mark Echohawk, Acting State Representative, District 29, House Seat B, State of Idaho, for a term commencing on April 28, 2003, and continuing until the incumbent shall resume the performance of the duties or a vacancy occurs in such office.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Idaho.

Done at Boise, the Capital of Idaho, this 25th day of April in the year of our Lord two thousand and three, and of the Independence of the United States of America, the two hundred and twenty-seventh year.

/s/ DIRK A. KEMPTHORNE  
Governor  
/s/ BEN YSURSA  
Secretary of State

The Certificate of Appointment was ordered filed in the Office of the Chief Clerk.

The Speaker announced the oath of office had previously been administered to Mr. Echohawk.

THE OFFICE OF THE GOVERNOR  
EXECUTIVE DEPARTMENT  
BOISE, IDAHO

**CERTIFICATE OF APPOINTMENT**

KNOW ALL MEN, by these Presents that Mike Naccarato, State Representative, District 7, House Seat B, State of Idaho, pursuant to the provisions of Section 59-917, Idaho Code, has nominated Dick Riggs, of Lewiston, Idaho, to perform the duties of this office temporarily as Acting State Representative.

NOW, THEREFORE, I, DIRK A. KEMPTHORNE, Governor of the State of Idaho, by virtue of the authority vested

in me by Section 59-917, Idaho Code, do hereby appoint Dick Riggs, Acting State Representative, District 7, House Seat B, State of Idaho, for a term commencing on April 28, 2003, and continuing until the incumbent shall resume the performance of the duties or a vacancy occurs in such office.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Idaho.

Done at Boise, the Capital of Idaho, this 25th day of April in the year of our Lord two thousand and three, and of the Independence of the United States of America, the two hundred and twenty-seventh year.

/s/ DIRK A. KEMPTHORNE  
Governor  
/s/ BEN YSURSA  
Secretary of State

The Certificate of Appointment was ordered filed in the Office of the Chief Clerk.

The Speaker announced the oath of office had previously been administered to Mr. Riggs.

April 25, 2003

Mr. Speaker:

I return herewith enrolled **H 412**, **H 413**, **H 414**, and **H 411** which have been signed by the President.

WOOD, Secretary

Enrolled **H 412**, **H 413**, **H 414**, and **H 411** were referred to the Judiciary, Rules, and Administration Committee for delivery to the Governor.

April 25, 2003

Mr. Speaker:

I return herewith **H 317**, as amended in the Senate, **H 264**, as amended in the Senate, and **H 415**, as amended in the Senate, as amended in the Senate, which have passed the Senate.

WOOD, Secretary

**H 317**, as amended in the Senate, **H 264**, as amended in the Senate, and **H 415**, as amended in the Senate, as amended in the Senate, were ordered held at the Desk.

Mr. Denney asked unanimous consent that the House not concur in the Senate amendments to **H 317**, as amended in the Senate. There being no objection, it was so ordered.

Mrs. Wood asked unanimous consent that the House concur in the Senate amendments to **H 415**, as amended in the Senate, as amended in the Senate. There being no objection, it was so ordered.

Mr. Cuddy asked unanimous consent that the House not concur in the Senate amendments to **H 264**, as amended in the Senate. There being no objection, it was so ordered.

**H 415**, as amended in the Senate, as amended in the Senate, was referred to the Judiciary, Rules, and Administration

Committee for engrossing.

### Report of Standing Committees

April 28, 2003

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION report that we have printed **HCR 32**, **H 427**, **H 428**, **H 429**, **H 430**, **H 431**, **H 432**, **H 433**, **H 434**, **H 435**, **H 436**, **H 437**, **H 438**, **H 439**, **H 440**, **H 441**, **H 442**, **H 443**, **H 444**, **H 445**, **H 446**, **H 447**, **H 448**, **H 449**, **H 450**, and **H 451**.

FIELD(18), Chairman

**HCR 32**, **H 427**, **H 428**, **H 429**, **H 430**, **H 431**, **H 432**, **H 433**, **H 434**, **H 435**, **H 436**, **H 437**, **H 438**, **H 439**, **H 440**, **H 441**, **H 442**, **H 443**, **H 444**, **H 445**, **H 446**, **H 447**, **H 448**, **H 449**, **H 450**, and **H 451** were filed for second reading.

April 28, 2003

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have enrolled **H 410**, **H 418**, **H 419**, **H 403**, as amended, **HJM 12**, and **H 422**.

FIELD(18), Chairman

The Speaker announced he was about to sign enrolled **H 410**, **H 418**, **H 419**, **H 403**, as amended, **HJM 12**, and **H 422**, and, when so signed, ordered them transmitted to the Senate for the signature of the President.

April 28, 2003

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have engrossed **H 383**, as amended in the Senate.

FIELD(18), Chairman

**H 383**, as amended in the Senate, was filed for first reading of engrossed bills.

There being no objection, the House advanced to the Eighth Order of Business.

### Introduction, First Reading, and Reference of Bills and Joint Resolutions

#### HOUSE BILL NO. 452 BY REVENUE AND TAXATION COMMITTEE AN ACT

RELATING TO THE SALES AND USE TAX; AMENDING CHAPTER 36, TITLE 63, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 63-3640, IDAHO CODE, TO PROVIDE FOR CONTRACTS ENTERED INTO PRIOR TO THE EFFECTIVE DATE OF THE INCREASED SALES AND USE TAX; DECLARING AN EMERGENCY AND PROVIDING RETROACTIVE APPLICATION.

**H 452** was introduced, read the first time by title, and

referred to the Judiciary, Rules, and Administration Committee for printing.

There being no objection, the House advanced to the Tenth Order of Business.

### Second Reading of Bills and Joint Resolutions

**H 424**, **H 425**, and **H 426**, by Appropriations Committee, were read the second time by title and filed for third reading.

There being no objection, the House returned to the Fifth Order of Business.

### Report of Standing Committees

April 28, 2003

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION report that we have printed **H 452**.

FIELD(18), Chairman

**H 452** was filed for second reading.

April 28, 2003

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have engrossed **H 415**, as amended in the Senate, as amended in the Senate.

FIELD(18), Chairman

**H 415**, as amended in the Senate, as amended in the Senate, was filed for first reading of engrossed bills.

There being no objection, the House advanced to the Ninth Order of Business.

### First Reading of Engrossed Bills

**H 383**, as amended in the Senate, by Education Committee, was introduced, read the first time by title and filed for second reading.

**H 415**, as amended in the Senate, as amended in the Senate, by Ways and Means Committee, was introduced, read the first time by title and filed for second reading.

There being no objection, the House returned to the Seventh Order of Business.

### Motions, Memorials, and Resolutions

Mr. Denney moved that all rules of the House interfering with the immediate consideration of **H 415**, as amended in the Senate, as amended in the Senate, be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that **H 415**, as amended in the Senate, as amended in the Senate, be read the first time by

title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Ms. Jaquet.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES -- Andersen(Guyon), Barraclough(Schanz), Barrett, Bauer, Bedke, Bell, Bieter, Black, Block, Boe, Bolz, Bradford, Campbell, Cannon, Clark, Collins, Crow, Cuddy, Deal, Denney, Douglas, Eberle, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Gagner, Garrett, Harwood, Henbest, Jaquet, Jones, Kellogg, Kulczyk, Lake, Langford, Langhorst, Martinez(Echohawk), McGeachin, McKague, Meyer, Miller, Mitchell, Moyle, Naccarato(Riggs), Nielsen, Raybould, Ridinger, Ring, Ringo, Roberts, Robison, Rydalch, Sali, Sayler, Schaefer, Shepherd(Buell), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Tilman, Trail, Wills, Wood, Mr. Speaker. Total -- 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and **H 415**, as amended in the Senate, as amended in the Senate, was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. Wood to open debate.

The question being, "Shall **H 415**, as amended in the Senate, as amended in the Senate, pass?"

Roll call resulted as follows:

AYES -- Andersen(Guyon), Barraclough(Schanz), Barrett, Bauer, Bedke, Bell, Bieter, Black, Block, Boe, Bolz, Bradford, Campbell, Cannon, Clark, Collins, Crow, Cuddy, Deal, Denney, Douglas, Eberle, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Gagner, Garrett, Harwood, Henbest, Jaquet, Jones, Kellogg, Kulczyk, Lake, Langford, Langhorst, Martinez(Echohawk), McGeachin, McKague, Meyer, Miller, Mitchell, Moyle, Naccarato(Riggs), Nielsen, Raybould, Ridinger, Ring, Ringo, Roberts, Robison, Rydalch, Sali, Sayler, Schaefer, Shepherd(Buell), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Tilman, Trail, Wills, Wood, Mr. Speaker. Total -- 70.

Whereupon the Speaker declared **H 415**, as amended in the Senate, as amended in the Senate, passed the House. Title was approved and the bill was referred to Judiciary, Rules, and Administration Committee for enrolling.

There being no objection, the House advanced to the Eleventh Order of Business.

### Third Reading of Bills and Joint Resolutions

**S 1187** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Gagner to open debate.

The question being, "Shall **S 1187** pass?"

Roll call resulted as follows:

AYES -- Andersen(Guyon), Barraclough(Schanz), Barrett, Bauer, Bedke, Bell, Bieter, Black, Block, Boe, Bolz, Bradford, Campbell, Cannon, Clark, Collins, Crow, Cuddy, Deal, Denney, Douglas, Eberle, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Gagner, Garrett, Harwood, Henbest, Jaquet, Jones, Kellogg, Kulczyk, Lake, Langford, Langhorst, Martinez(Echohawk), McGeachin, McKague, Meyer, Miller, Mitchell, Moyle, Naccarato(Riggs), Nielsen, Raybould, Ridinger, Ring, Ringo, Roberts, Robison, Rydalch, Sali, Sayler, Schaefer, Shepherd(Buell), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Tilman, Trail, Wills, Wood, Mr. Speaker. Total -- 70.

Whereupon the Speaker declared **S 1187** passed the House. Title was approved and the bill was ordered returned to the Senate.

**S 1188** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Meyer to open debate.

The question being, "Shall **S 1188** pass?"

Roll call resulted as follows:

AYES -- Bauer, Bedke, Bell, Black, Block, Bolz, Bradford, Campbell, Cannon, Clark, Collins, Crow, Deal, Denney, Douglas, Eberle, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Gagner, Garrett, Harwood, Jones, Kellogg, Kulczyk, Lake, Langford, McKague, Meyer, Miller, Mitchell, Moyle, Naccarato(Riggs), Raybould, Ridinger, Ring, Roberts, Rydalch, Sali, Schaefer, Shepherd(Buell), Shirley, Skippen, Smith(24), Smylie, Snodgrass, Stevenson, Tilman, Wills, Mr. Speaker. Total -- 52.

NAYS -- Andersen(Guyon), Barraclough(Schanz), Barrett, Bieter, Boe, Cuddy, Henbest, Jaquet, Langhorst, Martinez(Echohawk), McGeachin, Nielsen, Ringo, Robison, Sayler, Smith(30), Trail, Wood. Total -- 18.

Total -- 70.

Whereupon the Speaker declared **S 1188** passed the House. Title was approved and the bill was ordered returned to the Senate.

**S 1189** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Mitchell to open debate.

The question being, "Shall **S 1189** pass?"

Roll call resulted as follows:

AYES -- Andersen(Guyon), Barraclough(Schanz), Barrett, Bauer, Bedke, Bell, Bieter, Black, Block, Boe, Bolz, Bradford, Campbell, Cannon, Clark, Collins, Cuddy, Deal, Denney, Douglas, Eberle, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Gagner, Garrett, Harwood, Henbest, Jaquet, Jones, Kellogg, Kulczyk, Lake, Langford, Langhorst, Martinez(Echohawk), McGeachin, McKague, Meyer, Miller, Mitchell, Moyle, Naccarato(Riggs), Nielsen, Raybould, Ridinger, Ring, Ringo, Roberts, Robison, Rydalch, Sali, Sayler, Schaefer, Shepherd(Buell), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood, Mr. Speaker. Total -- 68.

NAYS -- None.

Absent and excused -- Crow, Tilman. Total -- 2.

Total -- 70.

Whereupon the Speaker declared **S 1189** passed the House. Title was approved and the bill was ordered returned to the Senate.

**S 1190** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Mitchell to open debate.

The question being, "Shall **S 1190** pass?"

Roll call resulted as follows:

AYES -- Andersen(Guyon), Barraclough(Schanz), Bauer, Bedke, Bell, Bieter, Black, Block, Boe, Bolz, Bradford, Campbell, Cannon, Clark, Collins, Crow, Cuddy, Deal, Denney, Douglas, Eberle, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Gagner, Garrett, Harwood, Henbest, Jaquet, Jones, Kellogg, Lake, Langford, Langhorst, Martinez(Echohawk), McKague, Meyer, Miller, Mitchell, Moyle, Naccarato(Riggs), Nielsen, Raybould, Ridinger, Ring, Ringo, Roberts, Robison, Rydalch, Sali, Sayler, Schaefer, Shepherd(Buell), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Tilman, Trail, Wills, Wood, Mr. Speaker. Total -- 67.

NAYS -- Barrett, Kulczyk, McGeachin. Total -- 3.

Total -- 70.

Whereupon the Speaker declared **S 1190** passed the House. Title was approved and the bill was ordered returned to the Senate.

**S 1191** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. Field(23) to open debate.

The question being, "Shall **S 1191** pass?"

Roll call resulted as follows:

AYES -- Andersen(Guyon), Barraclough(Schanz), Barrett, Bauer, Bedke, Bell, Bieter, Black, Block, Boe, Bolz, Bradford,

Campbell, Cannon, Clark, Collins, Crow, Cuddy, Deal, Denney, Douglas, Eberle, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Gagner, Garrett, Harwood, Henbest, Jaquet, Jones, Kellogg, Kulczyk, Lake, Langford, Langhorst, Martinez(Echohawk), McGeachin, McKague, Meyer, Miller, Mitchell, Moyle, Naccarato(Riggs), Nielsen, Raybould, Ridinger, Ring, Ringo, Roberts, Robison, Rydalph, Sali, Sayler, Schaefer, Shepherd(Buell), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Tilman, Trail, Wills, Wood, Mr. Speaker. Total -- 70.

Whereupon the Speaker declared **S 1191** passed the House. Title was approved and the bill was ordered returned to the Senate.

There being no objection, the House returned to the Seventh Order of Business.

### **Motions, Memorials, and Resolutions**

The Speaker announced that Representatives Bedke, Crow, Denney, and Henbest would serve on a Conference Committee regarding failure of the House to concur in the Senate amendments to **H 264**, as amended in the Senate.

**H 264**, as amended in the Senate, with the Senate amendments, was referred to the Conference Committee.

There being no objection, the House advanced to the Eleventh Order of Business.

### **Third Reading of Bills and Joint Resolutions**

Mr. Denney moved that the House recess until 3:30 p.m. Seconded by Ms. Jaquet. Motion carried.

Whereupon the Speaker declared the House at recess until 3:30 p.m.

### **RECESS**

### **Afternoon Session**

The House reconvened at 3:30 p.m., the Speaker in the Chair.

Roll call showed 69 members present.  
Absent and excused -- Jones. Total -- 1.  
Total -- 70.

Prior to recess, the House was at the Eleventh Order of Business.

### **Third Reading of Bills and Joint Resolutions**

Mr. Denney asked unanimous consent that the remaining bills on the Third Reading Calendar retain their places for one Legislative Day. There being no objection, it was so ordered.

There being no objection, the House returned to the Eighth Order of Business.

### **Introduction, First Reading, and Reference of Bills and Joint Resolutions**

#### **HOUSE BILL NO. 453 BY REVENUE AND TAXATION COMMITTEE AN ACT**

RELATING TO TAXATION; AMENDING SECTION 63-3029B, IDAHO CODE, TO PROVIDE THAT FOR QUALIFIED INVESTMENTS PLACED IN SERVICE IN TAXABLE YEARS BEGINNING IN 2003 AND THEREAFTER, THE TAXPAYER MAY ELECT, IN LIEU OF THE INCOME TAX CREDIT PROVIDED FOR CAPITAL INVESTMENT, A TWO YEAR EXEMPTION FROM ALL TAXES ON PERSONAL PROPERTY ON THE QUALIFIED INVESTMENT, TO PROVIDE PROCEDURES, TO PROVIDE FOR COOPERATION BETWEEN THE STATE TAX COMMISSION AND COUNTY ASSESSORS AND TO PROVIDE PENALTIES; PROVIDING FOR SEVERABILITY; DECLARING AN EMERGENCY AND PROVIDING RETROACTIVE APPLICATION.

#### **HOUSE BILL NO. 454 BY REVENUE AND TAXATION COMMITTEE AN ACT**

RELATING TO TAXATION; AMENDING SECTION 63-317, IDAHO CODE, TO INCLUDE OCCUPANCY OF IMPROVEMENTS OR USE IN STORAGE OF VEHICLES, BOATS OR HOUSEHOLD GOODS, PROVIDED SUCH USE IS NOT SOLELY RELATED TO CONSTRUCTION OR SALE OF THE PROPERTY IN THE DEFINITION OF "OCCUPIED" FOR OCCUPANCY TAX PURPOSES; DECLARING AN EMERGENCY AND PROVIDING RETROACTIVE APPLICATION.

**H 453** and **H 454** were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

There being no objection, the House returned to the Fourth Order of Business.

### **Consideration of Messages from the Governor and the Senate**

IDAHO STATE SENATE  
Office of the President Pro Tempore

April 28, 2003

The Honorable Bruce Newcomb  
Speaker of the House

Dear Mr. Speaker:

This letter is to acknowledge receipt of your letter appointing Representatives Dolores Crow, Lawrence Denney, Scott Bedke, and Margaret Henbest to a Conference Committee to consider

House Bill 264, as amended in the Senate, to which the House did not concur in the Senate amendments.

I am hereby appointing the following Senators to the Conference Committee to consider the Senate Amendments to House Bill 264, as amended in the Senate:

Senator Hal Bunderson, Chairman  
 Senator Brad Little  
 Senator Dean Cameron  
 Senator Edgar Malepeai

Sincerely,  
 /s/ Robert L. Geddes  
 President Pro Tempore

April 28, 2003

Mr. Speaker:

I return herewith enrolled **H 410**, **H 418**, **H 419**, **H 403**, as amended, **HJM 12**, and **H 422** which have been signed by the President.

WOOD, Secretary

Enrolled **H 410**, **H 418**, **H 419**, **H 403**, as amended, and **H 422** were referred to the Judiciary, Rules, and Administration Committee for delivery to the Governor.

Enrolled **HJM 12** was referred to the Judiciary, Rules, and Administration Committee for delivery to the Secretary of State.

#### Report of Standing Committees

April 28, 2003

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION report that we have printed **H 453** and **H 454**.

FIELD(18), Chairman

**H 453** and **H 454** were filed for second reading.

April 28, 2003

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have enrolled **H 415**, as amended in the Senate, as amended in the Senate.

FIELD(18), Chairman

The Speaker announced he was about to sign enrolled **H 415**, as amended in the Senate, as amended in the Senate, and, when so signed, ordered it transmitted to the Senate for the signature of the President.

There being no objection, the House advanced to the Seventh Order of Business.

#### Motions, Memorials, and Resolutions

Mr. Denney moved that all rules of the House interfering

with the immediate consideration of **H 453** be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that **H 453** be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Ms. Jaquet.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES -- Andersen(Guyon), Barraclough(Schanz), Barrett, Bauer, Bell, Bieter, Black, Block, Boe, Bolz, Bradford, Campbell, Cannon, Clark, Collins, Crow, Cuddy, Deal, Denney, Douglas, Eberle, Edmunson, Eskridge, Field(18), Field(23), Gagner, Garrett, Harwood, Henbest, Jaquet, Kellogg, Kulczyk, Lake, Langford, Langhorst, Martinez(Echohawk), McGeachin, McKague, Meyer, Miller, Mitchell, Moyle, Naccarato(Riggs), Nielsen, Raybould, Ridinger, Ring, Ringo, Roberts, Robison, Rydallch, Sali, Saylor, Schaefer, Shepherd(Buell), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Tilman, Trail, Wills, Wood, Mr. Speaker. Total -- 67.

NAYS -- None.

Absent and excused -- Bedke, Ellsworth, Jones. Total -- 3.

Total -- 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and **H 453** was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Moyle to open debate.

The question being, "Shall **H 453** pass?"

Roll call resulted as follows:

AYES -- Andersen(Guyon), Barraclough(Schanz), Barrett, Bauer, Bedke, Bell, Black, Block, Bolz, Bradford, Campbell, Cannon, Clark, Collins, Crow, Cuddy, Deal, Denney, Eberle, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Gagner, Garrett, Harwood, Jaquet, Kellogg, Lake, Langford, McKague, Meyer, Miller, Moyle, Nielsen, Raybould, Ring, Roberts, Rydallch, Sali, Schaefer, Shepherd(Buell), Shirley, Skippen, Smylie, Snodgrass, Stevenson, Tilman, Wills, Mr. Speaker. Total -- 51.

NAYS -- Bieter, Boe, Douglas, Henbest, Kulczyk, Langhorst, Martinez(Echohawk), McGeachin, Mitchell, Naccarato(Riggs), Ridinger, Ringo, Robison, Saylor, Smith(30), Smith(24), Trail, Wood. Total -- 18.

Absent and excused -- Jones. Total -- 1.

Total -- 70.

Whereupon the Speaker declared **H 453** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

Mr. Denney moved that all rules of the House interfering with the immediate consideration of **H 454** be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that **H 454** be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Ms. Jaquet.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES -- Andersen(Guyon), Barraclough(Schanz), Barrett, Bauer, Bell, Bieter, Black, Block, Boe, Bolz, Bradford, Campbell, Cannon, Clark, Collins, Crow, Cuddy, Deal, Denney, Douglas, Eberle, Edmunson, Eskridge, Field(18), Field(23), Gagner, Garrett, Harwood, Henbest, Jaquet, Kellogg, Kulczyk, Lake, Langford, Langhorst, Martinez(Echohawk), McGeachin, McKague, Meyer, Miller, Mitchell, Moyle, Naccarato(Riggs), Nielsen, Raybould, Ridinger, Ring, Ringo, Roberts, Robison, Rydalch, Sali, Sayler, Schaefer, Shepherd(Buell), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Tilman, Trail, Wills, Wood, Mr. Speaker. Total -- 67.

NAYS -- None.

Absent and excused -- Bedke, Ellsworth, Jones. Total -- 3.

Total -- 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and **H 454** was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Cuddy to open debate.

The question being, "Shall **H 454** pass?"

Roll call resulted as follows:

AYES -- Andersen(Guyon), Barraclough(Schanz), Barrett, Bauer, Bedke, Bell, Bieter, Black, Block, Boe, Bolz, Bradford, Campbell, Cannon, Clark, Collins, Crow, Cuddy, Deal, Denney, Douglas, Eberle, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Gagner, Garrett, Harwood, Henbest, Jaquet, Kellogg, Kulczyk, Lake, Langford, Langhorst, Martinez(Echohawk), McGeachin, McKague, Meyer, Miller, Mitchell, Moyle, Naccarato(Riggs), Nielsen, Raybould, Ridinger, Ring, Ringo, Roberts, Robison, Rydalch, Sali, Sayler, Schaefer, Shepherd(Buell), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Tilman, Trail, Wills, Wood, Mr. Speaker. Total -- 69.

NAYS -- None.

Absent and excused -- Jones. Total -- 1.

Total -- 70.

Whereupon the Speaker declared **H 454** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

Mr. Denney moved that all rules of the House interfering with the immediate consideration of **H 451** be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that **H 451** be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Ms. Jaquet.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES -- Andersen(Guyon), Barraclough(Schanz), Barrett, Bauer, Bell, Bieter, Black, Block, Boe, Bolz, Bradford, Campbell, Cannon, Clark, Collins, Crow, Cuddy, Deal, Denney, Douglas, Eberle, Edmunson, Eskridge, Field(18), Field(23), Gagner, Garrett, Harwood, Henbest, Jaquet, Kellogg, Kulczyk, Lake, Langford, Langhorst, Martinez(Echohawk), McGeachin, McKague, Meyer, Miller, Mitchell, Moyle, Naccarato(Rigg), Nielsen, Raybould, Ridinger, Ring, Ringo, Roberts, Robison, Rydalch, Sali, Sayler, Schaefer, Shepherd(Buell), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Tilman, Trail, Wills, Wood, Mr. Speaker. Total -- 67.

NAYS -- None.

Absent and excused -- Bedke, Ellsworth, Jones. Total -- 3.

Total -- 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and **H 451** was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. Ellsworth to open debate.

The question being, "Shall **H 451** pass?"

Roll call resulted as follows:

AYES -- Andersen(Guyon), Barraclough(Schanz), Barrett, Bauer, Bedke, Bell, Bieter, Black, Block, Boe, Bolz, Bradford, Campbell, Cannon, Clark, Collins, Crow, Cuddy, Deal, Denney, Douglas, Eberle, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Gagner, Garrett, Harwood, Henbest, Jaquet, Kellogg, Kulczyk, Lake, Langford, Langhorst, Martinez(Echohawk), McGeachin, McKague, Meyer, Miller, Mitchell, Moyle, Naccarato(Riggs), Nielsen, Raybould, Ridinger, Ring, Ringo, Roberts, Robison, Rydalch, Sali, Sayler, Schaefer, Shepherd(Buell), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Tilman, Trail, Wills, Wood, Mr. Speaker. Total -- 69.

NAYS -- None.

Absent and excused -- Jones. Total -- 1.

Total -- 70.

Whereupon the Speaker declared **H 451** passed the House. Title was approved and the bill was ordered transmitted to the

Senate.

There being no objection, the House advanced to the Sixteenth Order of Business.

**Adjournment**

Mr. Moyle moved that the House adjourn until 11 a.m., Tuesday, April 29, 2003. Seconded by Ms. Jaquet. Motion carried.

Whereupon the Speaker declared the House adjourned at 4 p.m.

BRUCE NEWCOMB, Speaker

ATTEST:

PAMM JUKER, Chief Clerk